REGISTER OF CLASSIFICATION DECISIONS

Title of Publication:	SF30143-srm730\S31884\C\msn\Cock-in-shorts01.jpg
Other Known Title:	Not Stated
Format:	Computer Image File
Director/Author:	Not Applicable
Producer/Publisher:	Not Applicable
Country of Origin:	Not Stated
Language:	Not Applicable
Classification:	Unrestricted.
Descriptive Note:	Not Applicable
Display Conditions:	Not Applicable
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Date of direction to issue a label:	Not Applicable
Applicant:	The District Court at Dunedin
Applicant to the Labelling Body:	Not Applicable
OFLC No:	500017
Unexcised version of publication:	Not Applicable

	Components	Running time
Menu:		
Feature:		
Other timed components:		
Total running time:		

Excisions: Not Applicable

Reasons for excisions:

Not Applicable

Summary of reasons for classification:

The publication entitled *SF30143-srm730\S31884\C\msn\Cock-in-shorts01.jpg* is classified as: Unrestricted.

The computer image file contains a photograph of a boywho is partially nude. To be considered a "matter such as sex" within the meaning of s3(1) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) the photograph must be reasonably capable of being regarded as sexual in nature. Because the photograph displays none of the characteristics that would cause a reasonable person to regard it as sexual in nature, the photograph cannot fairly be said to pass through the subject-matter gateway of s3(1) of the FVPC Act. The Office of Film and Literature Classification is bound to apply the meaning of "matters such as sex" that is most consistent with the rights set out in section 14 of the New Zealand Bill of Rights Act 1990. The publication is therefore classified as unrestricted.